Case 05-11538 Doc 1 Filed 03/29/05 Entered 03/29/05 15:57:04 Desc Main (Official Form 1) (12/03) Document Page 1 of 10

FORM B1 **United States Bankruptcy Court Voluntary Petition** Northern District of Illinois Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Marcus, David M. All Other Names used by the Debtor in the last 6 years All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all): (if more than one, state all): xxx-xx-5241 Street Address of Debtor (No. & Street, City, State & Zip Code): Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 980 Dean Ave. Highland Park, IL 60035 County of Residence or of the County of Residence or of the Lake Principal Place of Business: Principal Place of Business: Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): P.O. Box 866 Highland Park, IL 60035-0866 Location of Principal Assets of Business Debtor (if different from street address above): Information Regarding the Debtor (Check the Applicable Boxes) **Venue** (Check any applicable box) ■ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Type of Debtor (Check all boxes that apply) Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) Individual(s) Railroad ☐ Stockbroker ☐ Chapter 11 ☐ Corporation Chapter 7 Chapter 13 ☐ Commodity Broker ☐ Chapter 12 ☐ Partnership ☐ Chapter 9 ☐ Other_ ☐ Clearing Bank ☐ Sec. 304 - Case ancillary to foreign proceeding Nature of Debts (Check one box) Filing Fee (Check one box) Consumer/Non-Business ☐ Business Full Filing Fee attached ☐ Filing Fee to be paid in installments (Applicable to individuals only.) **Chapter 11 Small Business** (Check all boxes that apply) Must attach signed application for the court's consideration ☐ Debtor is a small business as defined in 11 U.S.C. § 101 certifying that the debtor is unable to pay fee except in installments. ☐ Debtor is and elects to be considered a small business under Rule 1006(b). See Official Form No. 3. 11 U.S.C. § 1121(e) (Optional) Statistical/Administrative Information (Estimates only) THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. ■ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors 16-49 100-199 200-999 1-15 50-99 1000-over П Estimated Assets \$50,001 to \$100,001 to \$500,001 to \$1,000,001 to \$10,000,001 to \$50,000,001 to \$0 to More than \$50,000 \$100,000 \$1 million \$10 million \$50 million \$100 million \$100 million \$500,000 П П П П Estimated Debts \$500,001 to \$10,000,001 to \$50,000,001 to \$0 to \$50.001 to \$100,001 to \$1,000,001 to More than \$50,000 \$100,000 \$500,000 \$1 million \$10 million \$50 million \$100 million \$100 million П П П

(Official Form Cases) 5-11538 Doc 1 Filed 03/29/05	Entered 03/29/05 15:57	:04 Desc Main
Voluntary Petition Document	NPAGGE 12: Infr(1:0)	FORM B1, Page 2
(This page must be completed and filed in every case)	Marcus, David M.	
Prior Bankruptcy Case Filed Within Last 6	•	
Location	Case Number:	Date Filed:
Where Filed: - None -		
Pending Bankruptcy Case Filed by any Spouse, Partner, or		
Name of Debtor: - None -	Case Number:	Date Filed:
District:	Relationship:	Judge:
g:		
	atures	
Signature(s) of Debtor(s) (Individual/Joint)		hibit A
I declare under penalty of perjury that the information provided in this petition is true and correct.		ed to file periodic reports (e.g., forms and Exchange Commission pursuant to
[If petitioner is an individual whose debts are primarily consumer debts	Section 13 or 15(d) of the Securities	
and has chosen to file under chapter 7] I am aware that I may proceed	requesting relief under chapter 11)	
under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under	☐ Exhibit A is attached and mad	le a part of this petition.
chapter 7.		hibit B
I request relief in accordance with the chapter of title 11, United States		f debtor is an individual marily consumer debts)
Code, specified in this petition.	I, the attorney for the petitioner nam	ed in the foregoing petition, declare
X /s/ David M. Marcus	that I have informed the petitioner th	
Signature of Debtor David M. Marcus	chapter 7, 11, 12, or 13 of title 11, U explained the relief available under	
v	X _/s/ Joseph E. Cohen 3123	-
X	Signature of Attorney for Debto	
Signature of John Deotor	Joseph E. Cohen 3123243	
Telephone Number (If not represented by attorney)		hibit C
	Does the debtor own or have posses a threat of imminent and identifiable	
March 29, 2005	safety?	marm to public health of
Date	☐ Yes, and Exhibit C is attached	I and made a part of this petition.
Signature of Attorney	■ No	
X /s/ Joseph E. Cohen 3123243	Signature of Non-At	torney Petition Preparer
Signature of Attorney for Debtor(s)	I certify that I am a bankruptcy petit	ion preparer as defined in 11 U.S.C.
Joseph E. Cohen 3123243	§ 110, that I prepared this document	
Printed Name of Attorney for Debtor(s)	provided the debtor with a copy of t	nis document.
COHEN & KROL Firm Name	Printed Name of Bankruptcy Pe	tition Pranarar
105 West Madison Street	Timed Name of Bankruptey Te	ution i reparei
Suite 1100	Social Security Number (Require	and have 11 II C C S 110(a)
Chicago, IL 60602 Address	Social Security Number (Require	led by 11 U.S.C.§ 110(c).)
312-368-0300 Fax: 312-368-4559		
Telephone Number		
March 29, 2005	Address	
Date		bers of all other individuals who
	prepared or assisted in preparing	g this document:
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this		
petition is true and correct, and that I have been authorized to file this		
petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11,	If more than one person prepare	ed this document, attach additional
United States Code, specified in this petition.		oriate official form for each person.
	X	-
X	X Signature of Bankruptcy Petitio	n Preparer
2.5.maio of Francisco Individual		•
Printed Name of Authorized Individual	Date	
	A hombrest-s	follows to complete with the
Title of Authorized Individual	A bankruptcy petition preparer's provisions of title 11 and the Fe	deral Rules of Bankruntev
	Procedure may result in fines or	
Date	U.S.C. § 110; 18 U.S.C. § 156.	l

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Form B6D (12/03)

In re	David M. Marcus	Case No.
_		, Debtor

SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three

columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

			ig secured claims to report on this schedule D.					
CDEDITOD'S NAME	CC	Ηι	sband, Wife, Joint, or Community	CO	U	D I	AMOUNT OF	
CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	C A M	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	ONTINGENT	L Q U L	U T E	CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION IF ANY
Account No.			First mortgage on house	T	DATED			
Charter One Mortgage 10561 Telegraph Road Glen Allen, VA 23059-4577		_	980 Dean Avenue Highland Park, IL 60035 Value \$ 1,500,000.00				59,840.60	0.00
Account No.	T		Home equity loan			П	·	
First Midwest Bank 300 Park Blvd Suite 400 Itasca, IL 60143		-	980 Dean Avenue Highland Park, IL 60035 Value \$ 1,500,000.00				685,224.14	0.00
Account No.	╁	\vdash	2000 Jeep			Н	005,224.14	0.00
US Bank 1005 Convention Plaza Saint Louis, MO 63101		-	Value \$ 13,000.00				15,457.74	2,457.74
Account No.	✝	t	10,000.00	t		Н	10,407.74	2,401.114
			Value \$					
continuation sheets attached	•	•	(Total of t	Subt			760,522.48	
			(Report on Summary of So		ota lule		760,522.48	

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Form B6E (04/04)

In re	David M. Marcus	Case No	
-		,	
		Debtor	

SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

■ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E. **TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.) ☐ Extensions of credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2). ☐ Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,925* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, which ever occurred first, to the extent provided in 11 U.S.C. § 507 (a)(3). ☐ Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). ☐ Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5). ☐ Deposits by individuals Claims of individuals up to \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6). ☐ Alimony, Maintenance, or Support Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7). ☐ Taxes and Certain Other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C § 507(a)(8).

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

*Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

0	continuation	sheets	attached
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☐ Commitments to Maintain the Capital of an Insured Depository Institution

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Form B6F (12/03)

In re	David M. Marcus		Case No.	
_		Debtor	-	

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community maybe liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGEN	L I Q	D I S P U T E D	AMOUNT OF CLAIM
Account No.				٦ ٢ ۲	T E		
Harris Brothers 914 South Loomis Street Chicago, IL 60607-4012		-			D		
Account No.			04 M1 628776			-	1,098,611.51
IIH 231 North Vineland Avenue La Puente, CA 91746		-					
Assessed No.							40,000.00
Account No. LaSalle Bank 135 South LaSalle Suite 2140 Chicago, IL 60603		-					
Account No.							2,758,868.32
Steve Brunner 330 West Diversey #1909 Chicago, IL 60657		-					
							2,000.00
_0 continuation sheets attached		•	(Total of	Sub this			3,899,479.83
			(Report on Summary of S		Tot dul		3,899,479.83

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Official Form 8 (12/03)

United States Bankruptcy Court Northern District of Illinois

In r	e David M. Marcus		C	ase No.		
		Debtor(s)	C	hapter	7	
	CHAPTER 7 INDIV	IDUAL DEBTOR'S STAT	TEMENT O	F INT	ENTION	
1.	I have filed a schedule of assets and liabilit	ies which includes consumer deb	ots secured by p	roperty	of the estate.	
2.	I intend to do the following with respect to	the property of the estate which	secures those co	onsumer	debts:	
	a. Property to Be Surrendered.					
	Description of Property -NONE-	Credit	or's name			
	b. Property to Be Retained		[Che	ck any a	pplicable sta	atement.]
1.	Description of Property 2000 Jeep	Creditor's Name US Bank	Property is claimed as exempt	rede pur	perty will be eemed suant to 11 .C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
2.	980 Dean Avenue Highland Park, IL 60035	Charter One Mortgage	Debtor will re make regula			continue to
3.	980 Dean Avenue Highland Park, IL 60035	First Midwest Bank	Debtor will re make regula			continue to
Date	e March 29, 2005	Signature /s/ David M.	Marcus			

Signature /s/ David M. Marcus

David M. Marcus

Debtor

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Jnited States Bankruptcy Court
Northern District of Illinois

In re	David M. Marcus		Case N).	
		Debtor(s)	Chapte	7	
	DISCLOSURE OF COMPEN	NSATION OF ATTO	RNEY FOR I	DEBTOR(S)	
	Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rul compensation paid to me within one year before the filing be rendered on behalf of the debtor(s) in contemplation of	ng of the petition in bankruptc	y, or agreed to be	paid to me, for service	
	For legal services, I have agreed to accept		\$	9,791.00	
	Prior to the filing of this statement I have received		\$	9,791.00	
	Balance Due		\$	0.00	
2.	The source of the compensation paid to me was:				
	■ Debtor □ Other (specify):				
3.	The source of compensation to be paid to me is:				
	■ Debtor □ Other (specify):				
4.	■ I have not agreed to share the above-disclosed compe	ensation with any other person	unless they are me	embers and associate	s of my law firm.
	☐ I have agreed to share the above-disclosed compens copy of the agreement, together with a list of the name				f my law firm. A
1	In return for the above-disclosed fee, I have agreed to rer a. Analysis of the debtor's financial situation, and rende b. Preparation and filing of any petition, schedules, state c. Representation of the debtor at the meeting of credito d. [Other provisions as needed] Negotiations with secured creditors to reaffirmation agreements and applicati 522(f)(2)(A) for avoidance of liens on hou	ring advice to the debtor in det ement of affairs and plan which ors and confirmation hearing, and reduce to market value; tons as needed; preparat	termining whether in may be required; and any adjourned lexemption pla	to file a petition in be nearings thereof; nning; preparatio	n and filing of
6.	By agreement with the debtor(s), the above-disclosed fee Representation of the debtors in any dis any other adversary proceeding.	does not include the following schargeability actions, jud	g service: licial lien avoida	nces, relief from	stay actions or
		CERTIFICATION			
	I certify that the foregoing is a complete statement of an pankruptcy proceeding.	ny agreement or arrangement f	for payment to me	for representation of	f the debtor(s) in
Date	d: March 29, 2005	/s/ Joseph E. Col			
		Joseph E. Cohen COHEN & KROL	3123243		
		105 West Madiso	n Street		
		Suite 1100 Chicago, IL 6060	2		
		312-368-0300 Fa)	

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United States Bankruptcy Court Northern District of Illinois

In re	David M. Marcus		Case No.	
		Debtor(s)	Chapter 7	
	${f v}$	ERIFICATION OF CREDITOR N	MATRIX	
		Number o	f Creditors:	13
	The above-named Debtor(s (our) knowledge.	s) hereby verifies that the list of cred	itors is true and correct to t	the best of my
Date:	March 29, 2005	/s/ David M. Marcus David M. Marcus Signature of Debtor		

Charter One Mortgage 10561 Telegraph Road Glen Allen, VA 23059-4577

David Harris 3735 Techy Road Mundelein, IL 60060

Eric S. Rein Swartz Cooper Greenberg 180 North LaSalle Street Suite 2700 Chicago, IL 60601

Ernest Simon Sachnoff & Weaver, LTD 10 South Wacker Drive 40th Floor Chicago, IL 60606

First Midwest Bank 300 Park Blvd Suite 400 Itasca, IL 60143

Harris Brothers 914 South Loomis Street Chicago, IL 60607-4012

IIH 231 North Vineland Avenue La Puente, CA 91746

LaSalle Bank 135 South LaSalle Suite 2140 Chicago, IL 60603

Michael Shakman & Stephen Bisgeier Miller Shakman & Hamilton 208 South LaSalle Street Suite 1100 Chicago, IL 60604

Ronald Harris 2827 Woodmere Drive Mundelein, IL 60060 Steve Brunner 330 West Diversey #1909 Chicago, IL 60657

The Estate of Milton Harris Bernice Harris Executor 3735 Techy Road Mundelein, IL 60060

US Bank 1005 Convention Plaza Saint Louis, MO 63101